



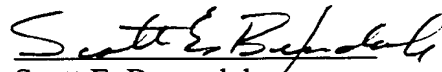
PATENT
Attorney Docket No. 29498/30004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hillman et al.
Serial No.: 09/724,279
Filed: November 28, 2000
For: Cordless Blind
Group Art Unit: 3634
Examiner: B. Johnson

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BRIEF ON APPEAL

Mail Stop Appeal Brief-Patents
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GROUP 3600

Dear Sir:

Pursuant to the Notice of Appeal filed March 12, 2003 in connection with the above-identified patent application, the Appellants respectfully submit the following Appeal Brief in accordance with 37 C.F.R. § 1.192. Appellants hereby request a one-month extension of time to file this Appeal Brief. This appeal Brief is therefore timely filed within the extended period for filing. This Appeal Brief is accompanied by a Petition for One-Month Extension of Time and a check in the amount of \$110.00 for the petition fee for a one-month extension of time.

I. REAL PARTY IN INTEREST

The real party in interest is Newell Window Furnishings, Inc., by virtue of an assignment recorded with the U. S. Patent & Trademark Office at Reel 11830, Frame 0169.

II. RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to Appellants, Appellants' legal representative, or Assignee which will directly affect or be directly affected by, or have a bearing on, the Board's decision, in the pending appeal.

III. STATUS OF CLAIMS

On March 12, 2003, Appellants appealed from the final rejections of claims 1-13, 15, 17, 18, 38-41 and 49-51, claims 52 and 53 having been cancelled, claims 19-37, 46-48 and 54-72 having been withdrawn from consideration, and claims 14, 16 and 42-45 having been objected to as being dependent upon a rejected base claim, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of a Response After Final mailed by the Appellants on March 7, 2003, the Examiner issued an Advisory Action on April 2, 2003 indicating that claims 1-11 were allowed and maintaining the final rejections of claims 12, 13, 15, 17, 18, 38-41 and 49-51.

IV. STATUS OF AMENDMENTS

There are no outstanding or unentered amendments in the pending application.

V. SUMMARY OF THE INVENTION

Although specification citations are inserted below in accordance with C.F.R. 1.192(c), these reference numerals and citations are merely examples of where support may be found in the specification for the terms used in this section of the brief. There is no intention to in anyway suggest that the terms of the claims are limited to the examples in the specification. Although as demonstrated by the reference numerals and citations below that the claims are fully supported by the specification as required by law, it is improper under the law to read limitations from the specification into the claims. Pointing out specification support for the claim terminology as is done here to comply with rule 1.192(c) does not in any way limit the scope of the claims to those examples from which they find support. Nor does this exercise provide a mechanism for circumventing the law precluding reading limitations into the claims from the specification. In short, the reference numerals and specification citations are not to be construed as claim limitations or in any way used to limit the scope of the claims.

The invention as defined in the claims of the present application relates to cordless blinds such as, for example, cordless blind 10 of FIGs. 1 and 2, and cordless blind 66 of FIGs. 3 and 4. Cordless blind 10 includes a head rail 12, a bottom rail 14 suspended from the head rail 12 by a first cord 16 and a second cord 17, and a window covering, shown as a plurality of slats 18, extending between and operatively coupled to the head rail 12 and bottom rail 14. (Specification, page 11, lines 5-9). The cordless blind 10 further includes a spring motor 20 and cord spools 34 and 36 mounted in the head rail 12, with the lift cords 16 and 17 wound around cord spools 34 and 36, respectively. (Specification, page 11, lines 10-11 and 27-29). The spring motor 20 includes a storage drum 24 and an output drum 26 mounted for rotation within the head rail 12, with a spring member 32 being tightly wound on the storage drum 24 and connected to the output drum 26. (Specification, page 11, lines 21-25). Gears 44 and 46 coupled to the drums 24 and 26, respectively, and gears 40 and 42 coupled to the cord spools 34 and 36, respectively, mesh to force rotation of the drums 24 and 26 and cord spools 34 and 36 when the bottomrail 14 is raised and lowered. (Specification, page 12, lines 1-13).

When the bottom rail 14 is lowered, the lift cords 16 and 17 cause the spools 34 and 36, respectively, to rotate as the lift cords 16 and 17 unwind, with an increasing number of the slats 18 being independently supported from the head rail 12 by flexible ladders 22, thereby reducing the weight supported by the lift cords 16 and 17. (Specification, page 11, lines 13-15; page 12, lines 8-13). The rotation of the spools 34 and 36 in turn causes the drums 24 and 26 to rotate in opposite directions to wind the spring member 32 onto the output drum 26, thereby reducing the upward force exerted on the lift cords 16 and 17 by the spring motor 20 to compensate for the decrease in the weight of the bottom rail 14 and accumulated slats 18 supported by the lift cords 16 and 17. (Specification, page 2, lines 26-28; page 12, lines 11-13). When the bottom rail 14 is raised, the force of the spring member 32 causes the spring member 32 to rewind onto the storage drum 24 from the output drum 26, and to rotate the drums 24 and 26 and the cord spools 34 and 36 to rewind the lift cords 16 and 17 onto the cord spools 34 and 36, respectively. (Specification, page 2, line 28 to page 3, line 2; page 12, lines 19-22). As the spring member 32 rewinds onto the storage drum 24, the force exerted on the lift cords 16 and 17 increases to support the increasing weight of the bottom rail 14 and accumulated slats 18 as the bottom rail 14 moves toward the head rail 12 to balance the system. (Specification, page 3, lines 8-13).

Various factors may cause a cordless blind to have different performance characteristics upon installation so that the system does not balance at every position between the fully raised and fully lowered positions. (See, e.g., Specification, page 3, lines 14-32). The present invention compensates for these variations. In the invention as defined in independent claim 12 and with reference to FIGs. 12A-14, a cordless blind, such those described above, includes a drive actuator 216 having a spool 218, a spring motor 210, and a biasing element (spring 214) coupled to the spring motor 210 and configured to provide a force biased against the movement of the bottom rail 260. (Specification, page 17, line 20 to page 18, line 2). The force of the spring 214 against the storage drum 232 of the spring motor 210 resists the rotation of the storage drum 232 and spool 218 to wind or unwind the lift cords 250 and 252 when the bottom rail 260 is raised or lowered, respectively. (Specification, page 18, lines 5-15). The cordless blind further includes a bias adjustment mechanism (knob 220 or screw 256) coupled to the spring 214, with the knob 220 or

screw 256 configured to provide selective variable application of a biasing force by the spring 214. (Specification, page 17, lines 20-25; page 19, lines 7-12). The user balances the cordless blind by increasing or decreasing force exerted by the spring 214 on the spring motor 210 by turning the knob 220 or screw 256 in the appropriate direction. (Specification, page 17, lines 20-28; page 19, lines 7-12).

The invention as defined in independent claim 49 and with reference to at least FIGs. 12A-16 recites similar cordless blinds wherein a balancing adjustment device, such as spring 214, and knob 220 or screw 256, is configured to allow the consumer to adjust the operation of the spring motor 210. (Specification, page 17, lines 20-25; page 19, lines 7-12). The balancing adjustment device is adapted to be actuated by the consumer from an area external to the head rail or bottom rail in which the spring motor 210 and balancing adjustment mechanism are disposed. (See, e.g., Specification, page 17, lines 13-19; page 19, lines 17-21). The knob 220 or screw 256 may be turned by the user to adjust the balance of forces and compensate for the varying performance characteristics in the cordless blind.

The invention as defined in independent claim 38 and with reference to FIGs. 29 and 30 compensates for varying performance characteristics in a cordless blind by providing a means for applying a varying amount of weight, such as steel tape 494 or capped ends 500, to the bottom rail 492 to counterbalance the force of the spring motor. (Specification, page 26, line 17 to page 27, line 14). The amount of the weight applied to the bottom rail 492 is adapted to maintain the bottom rail 492 in a given position with respect to the head rail. (Specification, page 26, lines 17-24). For example, the means may be "cut-to-length" steel tape 494 added after a cordless blind is cut down to size to compensate for the reduction in the weight that the spring motor is required to support. (Specification, page 26, line 24-26). As another alternative, the means may be capped ends 500 with slots 504 for receiving one or more weight modules 510 or coins 511 as necessary to compensate for the weight reduction caused by resizing the cordless blind. (Specification, page 26, line 27 to page 28, line 14).

VI. ISSUES

(a) Whether claims 12, 13, 15, 17 and 18 are unpatentable under 35 U.S.C. §103(a) as being obvious over Kuhar, U.S. Patent No. 5,482,100, in view of Carouso, U.S. Patent No. 1,863,620, and further in view of Griswold, U.S. Patent No. 350,492.

(b) Whether claims 38-41 are unpatentable under 35 U.S.C. §103(a) as being obvious over Kuhar, U.S. Patent No. 5,482,100, in view of Judkins et al., U.S. Patent No. 5,176,192.

(c) Whether claims 49-51 are unpatentable under 35 U.S.C. §103(a) as being obvious over Kuhar, U.S. Patent No. 5,482,100, in view of Griswold, U.S. Patent No. 350,492.

VII. GROUPINGS OF CLAIMS

For purposes of this Appeal, pending claims 12, 13, 15, 17, 18 and 49-51 stand or fall together as a group, and pending claims 38-41 stand or fall together as a group. Appellants reserve the right, however, to present arguments advancing the patentability of the various dependent claims, or other claims supported by the present specification, in further prosecution.

VIII. ARGUMENT

(a) *Claims 12, 13, 15, 17 and 18 are not rendered obvious by Kuhar, U.S. Patent No. 5,482,100, in view of Carouso, U.S. Patent No. 1,863,620, and further in view of Griswold, U.S. Patent No. 350,492 under 35 U.S.C. §103(a).*

Appellants respectfully assert that there is no suggestion or motivation for combining the Kuhar, Carouso and Griswold references in the manner proposed by the Examiner. Initially, Kuhar and Carouso fail to disclose or suggest all the limitations recited in independent claim 12. Neither reference discloses a biasing element coupled to a spring motor, and a bias adjustment mechanism coupled to the biasing element. As a result, the Kuhar and Carouso references alone do not render claims 12, 13, 15, 17 and 18 obvious.

The Griswold reference does not provide the necessary suggestion or motivation missing from Kuhar and Carouso for combining all three references to arrive at the invention recited in claims 12, 13, 15, 16 and 18. The prior art must make a suggestion of or provide an incentive for the claimed combination of elements in order to establish a *prima facie* case of obviousness. *In re Oetiker*, 24 U.S.P.Q.2d 1443, 1446 (Fed. Cir. 1992); *Ex parte Clapp*, 227 U.S.P.Q. 972, 973 (Bd. Pat. App. 1985). Merely stating integration of the claimed elements is obvious is not the same as “show[ing] a motivation to combine the references.” *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1457 (Fed. Cir. 1998). As explained by the Federal Circuit:

As this court has stated, “virtually all [inventions] are combinations of old elements.” Therefore, an examiner may often find every element of a claimed invention in the prior art. If identification of each claimed element in the prior art were sufficient to negate patentability, very few patents would ever issue. Furthermore, rejecting patents solely by finding prior art corollaries for the claimed elements would permit an examiner to use the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention. Such an approach would be “an illogical and inappropriate process by which to determine patentability.” To prevent the use of hindsight based on the invention to defeat patentability of the invention, this court requires the examiner to show a motivation to combine the references that create the case of obviousness.

Id. at 1457 (citations omitted and emphasis added).

Simply arguing that the cited prior art references relate to the same field of endeavor is not sufficient to meet the suggestion requirement. In the *Rouffet* decision, “the parties agree[d] that the five references asserted by the examiner were in the same field of endeavor as the invention,” but the rejections were still held to be improper for failing to identify a proper suggestion for combining the cited art. *Id.* at 1456. In order to establish a *prima facie* case of obviousness, there must be actual evidence of a suggestion to modify a prior art reference or to combine two prior art references, and the suggestion to combine or modify the prior art must be clear and particular. *In re Dembiczak*, 50 U.S.P.Q.2d 1614, 1617 (Fed. Cir. 1999). In order to establish a *prima facie* case of unpatentability, particular factual findings

demonstrating the suggestion to modify the prior art must be made. *See, e.g., Ecolochem Inc. v. Southern California Edison*, 56 U.S.P.Q.2d 1065 (Fed. Cir. 2000) and *Dembiczak*, 50 U.S.P.Q.2d at 1617-1618, where the Court of Appeals for the Federal Circuit stated:

In addition to demonstrating the propriety of an obviousness analysis, particular factual findings regarding the suggestion, teaching, or motivation to combine serve a number of important purposes, including: (1) clear explication of the position adopted by the Examiner and the Board; (2) identification of the factual disputes, if any, between the applicant and the Board; and (3) facilitation of review on appeal.

The law is quite clear that an obviousness rejection must be based on facts, not conjecture.

The Supreme Court... foreclosed the use of substitutes for facts in determining obviousness under section 103. The legal conclusion of obviousness must be supported by facts. Where the legal conclusion is not supported by facts it cannot stand.

In re Warner, 379 F.2d 1011, 1017 (C.C.P.A. 1967). This longstanding principle has been followed to date. For example, in the unpublished Board decision, *Ex parte Megens*, App. No. 1999-0277 (B.P.A.I. Oct. 29, 1999), the Board stated:

Rejections based on 35 U.S.C. § 103 must rest on a factual basis. *In re Warner*, 379 F.2d 1011, 1017, 154 U.S.P.Q. 173, 177-78 (C.C.P.A. 1967). In making such a rejection, an examiner has the initial duty of supplying the requisite factual basis and may not, because of doubts that the invention is patentable, resort to speculation, unfounded assumptions or hindsight reconstruction to supply deficiencies in the factual basis. *Id.*

(*Megens* at Page 4).

Furthermore, the mere fact that references can be modified is not sufficient to establish *prima facie* case of obviousness. See Section 2143.01 of the M.P.E.P., which states: "The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 U.S.P.Q.2d 1430 (Fed.

Cir. 1990)" (emphasis original). The suggestion to combine references must be from the prior art, not the Applicants' disclosure. See Section 2143 of the M.P.E.P., which states: "The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicants' disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991)."

With respect to Kuhar, the Carouso and Griswold references are neither analogous art, which the Examiner has admitted, nor in the same field of endeavor. Kuhar relates to cordless blinds wherein a constant variable spring motor is adapted to balance the blinds by providing a variable force that is "at its highest level when the blind or shade is fully raised, i.e., when the cords are supporting the full weight of the window covering [and] at its lowest point when the window covering is fully lowered and, in the case of blinds, the slats are being individually supported by ladders, rather than by the cords, leaving only the bottom bar to be supported by the cord." Kuhar, Abstract and col. 2, lines 40-50.

Carouso, conversely, does not relate to using a spring motor to balance a varying weight. Instead, Carouso provides springs 30 that at all times exert forces sufficient to overcome the weight of the cords 17 and supported heaters 34, and to rewind the cords 17 onto reels 19, 20. Carouso, in fact, teaches away from balancing by providing dogs 31 in discs 28 engaging detents 32 of the pulleys 25 to prevent the pulleys 25 from rotating by the urging of the springs 30 actuating the reel and tending to rewind the cords 17 on the reels 19, 20. Carouso, page 2, lines 5-24. Therefore, Kuhar (balancing a varying amount of weight) and Carouso (providing a locking mechanism to prevent rewinding by a spring always supplying sufficient force to overcome a suspended weight) do not relate to the same field of endeavor.

As with Carouso, Griswold does not attempt to provide a balanced system at all, let alone attempt to balance a varying amount of weight. Griswold discloses a suspension device for supporting the suspended article, with the force of a spring C increasing and decreasing as the suspended article is lowered and raised, and with the weight of the suspended article remaining constant as it is lowered and raised. In order to hold the suspended article in position, Griswold provides the brake J to

engage the drum A to resist rotation of the drum A in the direction to unwind the cords B when the weight of the suspended article is applied. Griswold, page 2, lines 7-12. Springs K bear upon the brake J and are adjusted by thumb-screws g to vary the initial pressure with which the brake J acts upon the drum. Griswold, page 2, lines 43-55. While Griswold's suspension device purports to "counterbalance" the suspended article, it is apparent from the specification that, by design, the suspension device will unwind under to the weight of the suspended article in the absence of the force applied by the brake J. Griswold does not disclose or suggest that the weight of the suspended article varies as the cords B are wound onto and unwound from the drum A, or that the suspension device is configured or intended to balance either a constant or a varying weight. Because the weight of the suspended article is not variable, and Griswold does not attempt to balance the weight of the suspended article, it follows that Griswold also does not endeavor to use a spring motor to balance a varying weight as addressed in Kuhar.

Even if we assume that Kuhar, Carouso and Griswold relate to the same field of endeavor, the Examiner has provided no factual basis for a suggestion or motivation to combine the references. The Examiner asserts that one of ordinary skill in the art experiencing problems with counterbalanced blinds having spring motors that are not properly tensioned would look to prior art tensioning devices and find Carouso. This assertion is conclusory and impermissibly uses the Appellants' own disclosure to create the motivation to combine the references, which constitutes an improper hindsight analysis. Kuhar discloses alternative mechanisms for adjusting spring forces and applying friction to balance cordless blinds, but neither Kuhar nor Carouso discloses or suggests coupling a biasing element to the spring motor, and coupling a bias adjustment mechanism to the biasing element, to provide a variable biasing force to assist in balancing the varying weight of the bottom rail and accumulated slats. The only teaching of coupling structures to the spring motor is provided by the Appellants' own disclosure.

The Examiner further asserts that one skilled in the art experiencing problems with different sized blinds operated by a spring motor would look for means to adjust tension exerted by a spring motor and found Griswold. Once again, the Examiner's assertion is conclusory and uses the Appellants' own disclosure to provide the

motivation to combine the references. Kuhar does not suggest engaging the spring motor with a biasing element and bias adjustment mechanism, and Griswold does not suggest implementing the brake J and drum A to engage the spring motor of a cordless blind to assist with balancing a varying weight. As previously stated, the mere fact that references can be modified is not sufficient to establish a *prima facie* case of obviousness. Because the only suggestion or motivation to combine the references as proposed by the Examiner derives from the Appellants' own disclosure, Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claims 12, 13, 15, 17 and 18 in view of any combination of the Kuhar, Carouso and Griswold references.

(b) *Claims 38-41 are not rendered obvious by Kuhar, U.S. Patent No. 5,482,100, in view of Judkins et al., U.S. Patent No. 5,176,192 under 35 U.S.C. §103(a).*

Claim 38 recites a "means for applying a varying amount of weight to the bottom rail to counterbalance the force of the spring motor, the amount of weight applied to the bottom rail being adapted to maintain the bottom rail in a given position with respect to the headrail." Neither Kuhar nor Judkins et al. discloses or suggests applying a varying amount of weight to a bottom rail to counterbalance the force applied by a spring motor. As previously discussed, Kuhar teaches alternative mechanisms for adjusting spring forces and applying friction to balance cordless blinds, but neither discloses nor suggests altering the weight of the bottom rail to balance the system. Judkins et al. discloses a pleated shade using pull cords 28 and locking mechanisms in the head rail 10 instead of a spring motor to raise and lower the shade and set the bottom rail 12 to a desired position. Judkins, et al., col. 6, lines 42-49. An optional weight W may be added to the bottom rail 12 for aesthetic purposes, such as to offset the S-shaped rolling of the pleated shade as the shade is raised and lowered, and to shift the weight of the bottom rail rearward toward a tabbed side of the shade. *See, e.g.*, Judkins et al., col. 3, lines 24-30, col. 8, lines 12-16 and 35-61, col. 9, lines 60-65, and col. 11, lines 8-15. However, Judkins et al. contains no disclosure or suggestion of using the weight W to counterbalance the

force of a spring motor as recited in claim 38 because the shade does not have a spring motor, and the locking mechanism locks the shade in place.

The Examiner's conclusory statements presented in the November 7, 2002 final Office action that it is desirable to provide weight to the bottom rail of a blind, that a weight in the bottom rail of the Kuhar device would result in better hanging characteristics, and that it is obvious that the weight must be chosen to maintain the balanced feature of Kuhar do not provide a sufficient factual basis for supporting the combination of Kuhar and Judkins et al. proposed by the Examiner. As with the combination of references discussed above, the only suggest to combine the references in the manner proposed by the Examiner comes from the Appellants' own disclosure and, therefore, constitutes impermissible hindsight analysis. Again, the mere fact that references can be modified is not sufficient to establish a *prima facie* case of obviousness. For these reasons, Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claims 38-41 and, therefore, Appellants respectfully request an indication of allowance of these claims.

(c) *Claims 49-51 are not rendered obvious by Kuhar, U.S. Patent No. 5,482,100, in view of Griswold, U.S. Patent No. 350,492 under 35 U.S.C. §103(a).*

Claims 49-51 recite, *inter alia*, "a balancing adjustment device configured to allow the consumer to adjust the operation of the spring motor, the balancing adjustment device being adapted to be actuated by the consumer from an area external to the one of the headrail and the bottom rail." As discussed above with respect to claims 12, 13, 15, 17 and 18, the Kuhar and Griswold references do not provide the necessary teaching or suggestion for providing a mechanism, such as the balancing adjustment device, to adjust the operation of a spring motor to balance a cordless blind. The only suggestion comes from the Appellants' own disclosure. Therefore, for the Appellants respectfully request an indication of allowance of these claims.

IX. APPENDIX

An Appendix containing a copy of the claims involved in this Appeal, including both the rejected claims and objected to, but allowable claims is attached hereto.

June 11, 2003

Respectfully submitted,

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APPENDIX

Claim 1 (allowed): A cordless blind comprising:

a headrail;

a bottom rail suspended from the headrail by a first cord and a second cord;

a window covering disposed between the headrail and the bottom rail;

a drive actuator including:

a spring motor,

a spool coupled to the spring motor and having a first axis,

a first tensioning mechanism having a second axis, and

a second tensioning mechanism having a third axis,

wherein the first and second tensioning mechanisms are configured to provide a resistant force on movement of the first and second cords, and wherein the first, second and third axes are parallel.

Claim 2 (allowed): The cordless blind of Claim 1, wherein the drive actuator is mounted in the headrail.

Claim 3 (allowed): The cordless blind of Claim 1, wherein the spring motor includes a storage drum having a fourth axis, an output drum having a fifth axis, and a spring member coupled to the storage drum and the output drum, wherein the fourth and fifth axes are parallel to the first, second and third axes.

Claim 4 (allowed): The cordless blind of Claim 1, wherein the spool shares an axis with one of the storage drum and the output drum.

Claim 5 (allowed): The cordless blind of Claim 4, wherein the spool includes a first and second slot configured to receive the first and second cords, respectively.

Claim 6 (allowed): The cordless blind of Claim 1, wherein the first and second tensioning mechanisms are first and second winding members.

Claim 7 (allowed): The cordless blind of Claim 6, wherein the first and second winding members each include a compliant outer surface.

Claim 8 (allowed): The cordless blind of Claim 7, wherein the compliant outer surface is an elastomeric material.

Claim 9 (allowed): The cordless blind of Claim 7, wherein the first and second cords are wound around the first and second winding members at least once.

Claim 10 (allowed): The cordless blind of Claim 1, wherein the first and second tensioning mechanisms each include a tensioning pulley.

Claim 11 (allowed): The cordless blind of Claim 1, wherein the first and second tensioning mechanisms each include a wheel.

Claim 12 (rejected): A cordless blind comprising:

a headrail;

a bottom rail suspended from the headrail by a first cord and a second cord;

a window covering disposed between the headrail and the bottom rail;

a drive actuator including:

a spool,

a spring motor coupled to the spool,

a biasing element coupled to the spring motor and configured to provide a force biased against movement of the bottom rail, and

a bias adjustment mechanism coupled to the biasing element, the bias adjustment mechanism being configured to provide a selective variable application of a biasing force by the biasing element.

Claim 13 (rejected): The cordless blind of Claim 12, wherein the biasing element is a spring.

Claim 14 (objected/allowable): The cordless blind of Claim 13, wherein the biasing element is a belleville spring.

Claim 15 (rejected): The cordless blind of Claim 13, wherein the bias adjustment mechanism is a knob threaded onto an axle and configured to provide variable biasing force upon rotation.

Claim 16 (objected/allowable): The cordless blind of Claim 15, further including a spacer disposed between the knob and the biasing element, wherein rotation of the knob forces the spacer against the spring.

Claim 17 (rejected): The cordless blind of Claim 12, wherein the bias adjustment mechanism is accessible from an area external to one of the headrail and the bottom rail.

Claim 18 (rejected): The cordless blind of Claim 17, wherein the bias adjustment mechanism is adjusted using a tool.

Claims 19-37 (withdrawn)

Claim 38 (rejected): A blind comprising:

- a headrail;
- a bottom rail suspended from the headrail;
- a window covering disposed between the headrail and the bottom rail;
- a spring motor being adapted to apply a force to the bottom rail in the direction of the headrail;

means for applying a varying amount of weight to the bottom rail to counterbalance the force of the spring motor, the amount of weight applied to the bottom rail being adapted to maintain the bottom rail in a given position with respect to the headrail.

Claim 39 (rejected): The blind of Claim 38, wherein the means for applying the varying amount of weight to the bottom rail include a tape made from a relatively dense material attached to the bottom rail.

Claim 40 (rejected): The blind of Claim 38, wherein the means for applying the varying amount of weight to the bottom rail include an end plug configured to be inserted in an end of the bottom rail.

Claim 41 (rejected): The blind of Claim 40, wherein the end plug includes a capped end and a body which narrows to facilitate insertion into the bottom rail.

Claim 42 (objected/allowable): The blind of Claim 41, wherein the body of the end plug includes a one or more slots defined by a plurality of walls, the slots being configured to receive a weight module.

Claim 43 (objected/allowable): The blind of Claim 42, wherein the weight module is one of steel and lead.

Claim 44 (objected/allowable): The blind of Claim 42, wherein the slots include a compliant retaining system configured to capture weight module in a secure

Claim 45 (objected/allowable): The blind of Claim 44, wherein the compliant retaining system include walls are made from a compliant material and shaped so that the weight module is held securely by the one or more slots.

Claims 46-48 (withdrawn)

Claim 49 (rejected): A cordless blind comprising:

a headrail;

a bottom rail suspended from the headrail;

a window covering disposed between the headrail and the bottom rail;

a spring motor disposed within one of the headrail and the bottom rail configured to move the bottom rail relative to the top rail;

a balancing adjustment device configured to allow the consumer to adjust the operation of the spring motor, the balancing adjustment device being adapted to be actuated by the consumer from an area external to the one of the headrail and the bottom rail.

Claim 50 (rejected): The cordless blind of Claim 49, wherein the balancing adjustment device includes a biasing element coupled to the spring motor and configured to provide a force biased against movement of the bottom rail, and a bias relief mechanism coupled to the biasing element, the bias relief mechanism being configured to provide for selective application and relief of the biasing force by the biasing element.

Claim 51 (rejected): The cordless blind of Claim 50, wherein the bias relief mechanism includes a knob threaded onto an axle and configured to provide a variable biasing force upon rotation.

Claims 52 and 53 (canceled)

Claims 54-72 (withdrawn)